

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.938 OF 2006**

Manya Janglya Waghe & Ors. ...Applicants.
V/s.
The State of Maharashtra ...Respondent.
Shri Y.S.Shinde, APP for the Respondent/State.

**CORAM: J.H.BHATIA, J.
DATE : 4th April, 2007.**

P.C.:

1. Heard Mr.Shinde the learned APP for the State. Mr.Shinde has produced report received from Superintendent, Kalyan District Jail dated 3-4-2007. A report is also received from P.S.O. Ambernath Police Station dated 4-4-2007.

2. Manya J. Waghe and 9 other accused persons had sent the application dated 17-12-2005 through jail authorities. It was alleged that all these 10 persons were in jail for about 15 months but their cases were not taken up for the trial. They were also not produced before the Court. Their grievances were that whenever they requested to send their application to the Court for early hearing, their applications were thrown away by the Court-in-charge Kamble. Therefore, they sought appropriate directions either for grant of bail or for early trial.

3. As per the report received from the jail authorities, the applicant Manya has already been released in all the matters and he is no more in the jail. As per the report from P.S.I. out of 10 persons, 7 persons including Manya are already released from jail. Some of them are acquitted and some are released on bail. However, only 3 persons namely, Gajya Lahu Valavee, Sachin Babu Waghe and Navnath Soma Waghe are still in jail. All these 3 persons are in jail in crime no.171 of 2004 under Sections 457 and 380 of the I.P.C. Gajya L. Valavee and Navnath Soma Waghe are in custody in crime no.217 of 2004 under Section 454, 457, 380 while Gajya is also in custody in crime no.245-04 under Section 395 read with Section 397 of the I.P.C. As these 3 persons are still in custody for a long time in these matters, it will be necessary to give direction for early disposal of the trial.

4. The District and Sessions Judge, Thane is hereby directed to give appropriate directions to the concerned Additional Sessions Judge or Judicial Magistrates to expedite the trial and dispose off the cases arising out of crime no.245-04, 217-04 and 171-04 arising from Ambernath police station and to dispose off the same as early as possible and in any case till the

end of July, 2007.

5. Application stands disposed off in terms of the above direction.

(J.H.Bhatia, J.)